

MICHAEL W. BIEN – 096891  
 ERNEST GALVAN – 196065  
 KARA J. JANSSEN – 274762  
 GINGER JACKSON-GLEICH – 324454  
 ROSEN BIEN  
 GALVAN & GRUNFELD LLP  
 101 Mission Street, Sixth Floor  
 San Francisco, California 94105-1738  
 Telephone: (415) 433-6830  
 Email: mbien@rbgg.com  
 egalvan@rbgg.com  
 kjanssen@rbgg.com  
 gjackson-gleich@rbgg.com

OREN NIMNI\*  
 Mass. Bar No. 691821  
 AMARIS MONTES\*  
 Md. Bar No. 2112150205  
 D DANGARAN\*  
 Mass. Bar No. 708195  
 RIGHTS BEHIND BARS  
 416 Florida Avenue N.W. #26152  
 Washington, D.C. 20001-0506  
 Telephone: (202) 455-4399  
 Email: oren@rightsbehindbars.org  
 amaris@rightsbehindbars.org  
 d@rightsbehindbars.org

SUSAN M. BEATY – 324048  
 CALIFORNIA COLLABORATIVE FOR  
 IMMIGRANT JUSTICE  
 1999 Harrison Street, Suite 1800  
 Oakland, California 94612-4700  
 Telephone: (510) 679-3674  
 Email: susan@ccijjustice.org

\*Pro hac vice applications pending

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CALIFORNIA COALITION FOR WOMEN  
 PRISONERS; R.B.; A.H.R.; S.L.; J.L.; J.M.;  
 G.M.; A.S.; and L.T., individuals on behalf of  
 themselves and all others similarly situated,

Plaintiffs,

v.

UNITED STATES OF AMERICA FEDERAL  
 BUREAU OF PRISONS, a governmental entity;  
 BUREAU OF PRISONS DIRECTOR COLETTE  
 PETERS, in her official capacity; FCI DUBLIN  
 WARDEN THAHESHA JUSINO, in her official  
 capacity; OFFICER BELLHOUSE, in his  
 individual capacity; OFFICER GACAD, in his  
 individual capacity; OFFICER JONES, in his  
 individual capacity; LIEUTENANT JONES, in  
 her individual capacity; OFFICER LEWIS, in his  
 individual capacity; OFFICER NUNLEY, in his  
 individual capacity; OFFICER POOL, in his  
 individual capacity; LIEUTENANT PUTNAM, in  
 his individual capacity; OFFICER SERRANO, in  
 his individual capacity; OFFICER SHIRLEY, in  
 his individual capacity; OFFICER SMITH, in his  
 individual capacity; and OFFICER VASQUEZ, in  
 her individual capacity,

Defendants.

Case No. 4:23-cv-04155

**DECLARATION OF A [REDACTED]  
 S [REDACTED] IN SUPPORT OF  
 PLAINTIFFS' MOTIONS FOR  
 PRELIMINARY INJUNCTION  
 AND PROVISIONAL CLASS  
 CERTIFICATION**

1 I, A [REDACTED] S [REDACTED], declare:

2 1. I have personal knowledge of the facts set forth herein, and if called as a  
3 witness, I could and would competently so testify. I make this declaration in support of  
4 Plaintiffs' Motions for Preliminary Injunction and Provisional Class Certification.

5 2. I have been incarcerated at FCI Dublin since August 2020. In the future  
6 BOP may transfer me to other BOP facilities including but at any point I could be  
7 transferred back to FCI Dublin.

8 3. FCI Dublin's inadequate systems for preventing, detecting, and responding  
9 to sexual abuse have caused actual harm to myself and others incarcerated at FCI Dublin  
10 and put myself and other incarcerated persons at substantial risk of imminent, serious harm  
11 from sexual assault, harassment, and retaliation from staff.

12 4. While at FCI Dublin, I have experienced sexual abuse by Officer Smith and  
13 was harassed by Officers Deluca, Ramos, and Lewis.

14 5. After I was released from quarantine following my arrival at FCI Dublin  
15 after serving a state prison term, I was housed in C-Unit. In September 2020, Officer  
16 Smith first initiated conversation with me. We referred to him as "Dirty Dick Smith." He  
17 would call me into his office and ask me about my time in state prison. He would explain  
18 his understanding that state prison was nothing like BOP, that in "state" prison officials  
19 would provide contraband to women incarcerated in order to obtain sexual favors, whereas  
20 at BOP, officers did not need to do that. He would talk to me weekly, and eventually  
21 asked me to "show him something." He commented on how pretty my breasts looked, and  
22 said he wanted to see them. I'd ask, "what are you going to give me in return." And he  
23 would tell me to get a "cup," or a drink from his office.

24 6. In October or November 2020, as I was walking in my unit on the way to  
25 Food Service, Officer Ramos appeared at my room and told me "don't move, don't move  
26 your hands," and locked my cell. Ramos told me that "State don't got nothing on us,"  
27 referring to where I was transferred from and implying that they would treat me much  
28 worse than anything I experienced at my previous facility. He took me upstairs to another

1 person's cell where Officer Deluca was strip searching another person. He told me that  
2 Officer Deluca was going to strip search me too. Officer Deluca brought me upstairs to  
3 another cell and strip searched me without cause. They then ran me through a body  
4 scanner. They took my property, and that of the cell that I was being searched in, which  
5 they tried to claim was mine. I went to SIS and to the Warden the next day to retrieve my  
6 property, and they denied that they had anything to do with the search.

7 7. I also observed Officer Smith converse with the girls from Mexico. He  
8 referred to them as "cheaper." I was aware that he had a relationship with one girl in  
9 Mexico, and even visited her in Mexico after she was released from FCI Dublin and  
10 deported. He would frequently come by another Mexican girlfriend of his, who lived in  
11 the cell next to mine, to talk to her. He would talk about how all of his vacations were in  
12 Mexico. He would also talk about all of his "properties," and how much money he had.

13 8. During the COVID-19 lockdown, in December 2020 and January 2021,  
14 Officer Smith harassed me almost every day that he worked on my unit. Showers were  
15 very restricted during lockdown and other women and I would sometimes shower outside  
16 of the designated times. When Officer Smith caught us heading there, he would say that if  
17 we did not want to get in trouble and receive disciplinary actions, we needed to take off  
18 our robes and show him our bodies. One time he pulled off the shower curtain and  
19 watched me shower.

20 9. Alternatively, he would let us shower, and hold it against us later, instructing  
21 us to show him our naked bodies after we showered or risk a disciplinary violation.

22 10. During this period, Officer Smith also opened and stood in my cell door  
23 while I was naked and watched me. Other times, he would lock my cell door and open it  
24 only if I got naked.

25 11. During this time, I would also try to get hot water with some other women  
26 for food and other needs. Like with the showers, Officer Smith would catch us heading  
27 there and threatened to punish us, saying he would not punish us if we stripped for him  
28 which we did because we were desperate for hot water.

1           12.     When I refused his advances on some occasions, Officer Ramos went into  
2 my cell and searched through my possessions in retaliation, stealing some items and  
3 leaving the room in disarray. Officer Ramos also took my roommates' items intentionally  
4 to create conflict between us. He told me that if I didn't do what he said, he would "hit"  
5 my room again. "Hit" meant that he would search my cell without reason and to take my  
6 possessions.

7           13.     After we came off lockdown, we were much less restricted and I did not pay  
8 him any mind. He started calling me into his office over the intercom. One time Officer  
9 Smith called me into his office over the intercom. When I arrived, he was masturbating  
10 himself over his pants with the lights off. He told me he liked my breasts while he  
11 masturbated and forced me to stay in the room while he looked at me. He asked me "when  
12 am I going to see them again?" referencing my breasts. I would say no, and he would say,  
13 "I don't know why you won't, they're nice. You should want to show them."

14           14.     I later moved to B-Unit when I began to work for Unicor, and I did not see  
15 him as frequently. He specifically liked to work in C-Unit because he had girls there, and  
16 he referred to the girls who lived in A-B units as "entitled bitches." In July or August  
17 2021, I was out in the yard on recreation. He was working the perimeter. He would stop  
18 and call my name, wanting me to come over and show him my breasts. I told him to get  
19 the fuck out of here. I told him that after Bellhouse and Garcia were walked off, he was  
20 next.

21           15.     Even though I was afraid of his abuse, there is no effective way to  
22 confidentially report sexual assault and abuse by staff at FCI Dublin. In my experience,  
23 there was no available grievance process for this abuse because officers never explained  
24 the process of reporting when I entered into Dublin and at any point after. Officers either  
25 refused to take allegations seriously or were friends of those against whom allegations  
26 were made. To this day, the grievance process at Dublin is largely unavailable. You have  
27 to ask your counselor for the BP-9, BP-10, and BP-11 forms, but we haven't had a  
28 counselor on our unit for months. In addition, my unit manager is hardly ever on the unit

1 the same time I am because I work from about 6am to 3:30pm. Even when you get your  
2 staff member, they say they do not have the forms. I have had to really fight to get a BP-  
3 11, a form I needed to report on these ongoing issues.

4 16. After Warden Garcia was put on administrative leave, Dublin officials put up  
5 signs everywhere saying women could report abuse, but there was common knowledge  
6 that the officers ended up taking people to restrictive housing or “hitting their rooms”—  
7 entering their rooms and searching their belongings or messing things up—so any report  
8 risked retaliation.

9 17. People were told that they would be reporting to “The Task Force” outside of  
10 Dublin which was said to be independent from Dublin staff, but the reports led to the  
11 Special Investigative Specialist (SIS), Lieutenant Putnam at Dublin calling people in and  
12 questioning them on things they sent to the Task Force.

13 18. Staff at FCI Dublin prevent people from reporting sexual assault and abuse  
14 by staff and retaliate against people who do report. I knew that the process was neither  
15 independent nor confidential. I knew reporting to SIS Lt. Putnam would lead to retaliation  
16 because I saw prison officials retaliate against others, which led me to not want to report  
17 the abuse. I saw them monitor phone calls and emails. Even when people email the task  
18 force, we know that it is going straight to lieutenants. I also knew that people were sent to  
19 the Special Housing Unit (SHU) for reporting or were transferred from the prison for  
20 reporting.

21 19. Superintendents and supervising officers were not observing what was  
22 happening at all, particularly during the lockdown. It was so hard to get any type of help at  
23 the time—either from counselors or case managers. And the officers who did know about  
24 Officer Smith’s actions, including supervisors, did not do anything about it. I knew these  
25 staff knew everything all their coworkers have been doing; all they do is put it under the  
26 rug.

27 20. Recently, in January 2023, a new Lieutenant came to Dublin, named  
28 Lt. Jones. She explicitly told people that she is retaliating against them for the things that

1 are being said about her fellow officers. She told me and my roommates: “I came here  
2 because of everything that’s going on, you can go ahead and write me up, it’s not gonna go  
3 anywhere.”

4 21. On Martin Luther King Day Weekend in 2023, she searched a group of  
5 people against the wall who had been outside in the rain—in front of everyone else. She  
6 screamed at those watching: “stop staring, you’ll be next.” Lt. Jones threatened people,  
7 saying, “I’ll take care of you real good. I’ll go tear up your bunkie’s stuff so she can deal  
8 with you later.” She writes people up for false issues. She screams at people in the dorm  
9 during her night shift, shouting, “You wouldn’t have to deal with staff like me if you  
10 hadn’t gotten rid of all the good ones,” and “you told on all the good ones.” I understand  
11 that Lt. Jones was placed on administrative leave for sexual assault allegations in  
12 March 2023.

13 22. In late April 2023, shortly after speaking to the FBI for the first time about  
14 my abuse from Officer Smith, Officer Lewis ordered me to unzip my sweatshirt (which I  
15 always keep zipped up my neck) and expose my chest while leaving Chow Hall. Given  
16 my prior experiences of sexual harassment (Officer Smith was completely fixated on my  
17 breasts) – this incident caused me great anxiety and humiliation. When I protested, Officer  
18 Lewis told me to keep “running [my] mouth.” I immediately did approach the new SIS  
19 lieutenant to tell him what happened, but he did not really care or write anything down.  
20 The same day, my cell was searched “randomly”—for the third day in a row.

21 23. Officer Lewis has continued to ask me to unzip my sweatshirt nearly every  
22 day since then. I told Lt. Putnam about this, and he said it was “unacceptable,” but nothing  
23 has changed.

24 24. When incarcerated persons report sexual abuse by staff, FCI Dublin and  
25 BOP do not seriously investigate the reports. Investigations are frequently delayed and  
26 overseen by staff who know and work with the offending staff member. Generally nothing  
27 happens as a result.

28 25. There is little to no confidential mental health care available to survivors of

1 sexual abuse and assault at FCI Dublin. There is little to no medical care available to  
2 survivors of sexual abuse and assault at FCI Dublin.

3       26. As a result of the abuse I have experienced, I am scared of everything. My  
4 anxiety and depression have exacerbated. I have been incarcerated since 2009, and this  
5 has been the most horrible time I have ever gone through in general, and particularly in  
6 regard to my depression. I had never gone through such difficult things until I got to  
7 Dublin. It has been a hard time period for me, and it still is. I am stressed throughout the  
8 day and have been physically anxious about interacting with different officers. I feel  
9 deeply that the facility is a horrible place, and my experience has been additional  
10 punishment than just serving my time.

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1 I declare under penalty of perjury under the laws of the United States of America  
2 that the foregoing is true and correct to the best of my knowledge, and that this declaration  
3 is executed at Dublin, California this 15th day of August, 2023.

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